

Exhibit U

Settlement Order

18-2-08480-31
OR
Order
10703679



FILED

2021 JUL 21 AM 8:29

HEIDI PERCY
COUNTY CLERK
SNOHOMISH CO. WASH

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7 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SNOHOMISH

8

9 SHELLEY S. HAWKINS,

10 Plaintiff

11 v.

12 A&E FACTORY SERVICE,
L.L.C., a Delaware limited liability
company; SEARS HOLDINGS
MANAGEMENT CORPORATION,
a foreign profit corporation;
FATEMAH S. ALSUWAIDAN and
JOHN DOE ALSUWAIDAN,
husband and wife and their marital
community; EDWIN G. MIGUEL
and JANE DOE MIGUEL, husband
and wife and their marital
community; and JENNI M.
WAKIDA and JOHN DOE
WAKIDA, husband and wife and
their marital community,

13 Defendants

No 18-2-08480-31

14 ORDER ON PLAINTIFF'S
MOTION FOR DETERMINATION
OF REASONABLENESS OF
SETTLEMENT AGREEMENT
AND FOR JUDGMENT THEREON

~~(Proposed)~~

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21 THIS MATTER having come on for hearing upon Plaintiff's Motion for Determination
22 of Reasonableness of Settlement Agreement and for Judgment Thereon, and the Court, having
23 reviewed the same and being fully advised in the premises, now, therefore,

24 WRITTEN FINDINGS

25 Pursuant to CR 54(b), this Court finds as follows:

26 1. Defendants Alsuwaidan et vir and Defendants Miguel are the only remaining

27
28 ORDER ON PLAINTIFF'S MOTION FOR
DETERMINATION OF REASONABLENESS OF
SETTLEMENT AGREEMENT AND FOR JUDGMENT
THEREON - 1

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Original

- 1 defendants to this action given that the Court previously dismissed all other
2 defendants.
- 3 2. Defendants Alsuwaidan have failed to appear or respond in any way to this
4 lawsuit or to this motion despite valid service of original process upon them in
5 2019 as well as notice of this motion. On file herein is proof that service of the
6 Summons and Complaint for Negligence upon Defendants Fatemah S.
7 Alsuwaidan and John Doe Alsuwaidan was made by substitute service upon the
8 Washington Secretary of State, pursuant to RCW Chapter 46.64, on January 17,
9 2019. RCW 4.28.210 provides "... when a defendant has not appeared, service
10 of notice or papers in the ordinary proceedings in an action need not be made
11 upon him or her."
- 12 3. Plaintiff and Defendant Miguel have stipulated in writing to the reasonableness
13 of the settlement and a verified Consent Judgment against Defendant Miguel in
14 the principal amount of \$1,500,000.
- 15 4. Plaintiff and Defendant Miguel have indicated in their Settlement Agreement
16 and through this agreed order their desire and intent to end Plaintiff's continued
17 litigation against Defendant Miguel and provide finality.
- 18 5. Plaintiff's claim against Defendants Alsuwaidan will be the only remaining
19 unadjudicated claim in this litigation following the court's entry of the Consent
20 Judgment against Defendant Miguel.
- 21 6. In the Court's consideration of the relationship between the adjudicated and the
22 unadjudicated claims, the Court finds that as a practical matter, Plaintiff asserts
23 that the remaining negligence claim by Plaintiff against Defendants Alsuwaidan
24 no longer needs to be litigated now that a final judgment is being entered, by
25 agreement, against Defendant Miguel. Further, the previous need to assess any
26 damages caused by Defendants Alsuwaidan is now mooted upon the final

1 Consent Judgment of damages being entered against Defendant Miguel.
2 7. Given the foregoing findings and desires and agreement of Plaintiff and
3 Defendant Miguel, there is no just reason for delay of entry of final judgment
4 against Defendant Miguel in the reasonable amount the Court finds below.

5

6 ORDER

7 IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Court
8 determines the amount of \$1,500,000.00 to be a reasonable settlement amount between
9 Plaintiff and Defendant Miguel after consideration of the evidence submitted with this motion,
10 the response submitted by Defendant Miguel, and the *Glover v. Tacoma General Hospital*
11 factors. Accordingly, the Court will separately enter final judgment against Defendant Miguel
12 in the reasonable amount of \$1,500,000.00, with interest to accrue thereon at 12 percent,
13 compounded annually. There is no just reason for delay of this final judgment against
14 Defendant Miguel in these amounts.

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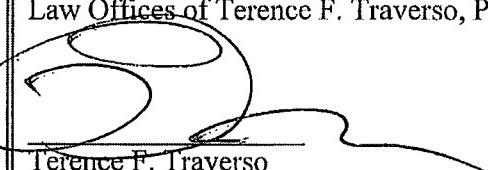
16 DATED this 20th day of July, 2021.

17 
18 _____
19 Judge Anita Farris

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21 Presented by:

22 Law Offices of Terence F. Traverso, P.S., by

23 
24 Terence F. Traverso
25 WSBA #21178
26 Attorney for Plaintiff

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 ORDER ON PLAINTIFF'S MOTION FOR
 DETERMINATION OF REASONABleness OF
 SETTLEMENT AGREEMENT AND FOR JUDGMENT
 THEREON - 3

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1 Approved as to form and content; copy received;
2 notice of presentation waived by:

3 Malcolm Law Firm, P.L.L.C., by

4 
5 Sean Malcolm
WSBA #36245
6 Attorney for Defendant Miguel

Terence Traverso, per
express authorization from:

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28 ORDER ON PLAINTIFF'S MOTION FOR
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